PART IV

591

Section 2-B

NOTIFICATIONS, RULES AND ORDERS ISSUED UNDER MYSORE ACTS AND ORDINANCES.

NOTIFICATIONS.

No. L. S. 236—L.W. 20-50-28, dated Bangalore, 16th April 1951

In exercise of the powers conferred by Section 6 of the Mysore Shops and Establishments Act, 1948 (Mysore Act II of 1948), His Highness the Maharaja of Mysore is hereby pleased to exempt the following establishments from the provisions of sub-section (1) of Section 11 of the said Act :—

All shops dealing mainly in medicines, surgical appliances, bandages or other medical requisites in so far as the sale of these articles is concerned.

By Order of His Highness the Maharaja,

N. R. JAYA RAO,
Legal Remembrancer and
Secretary to Government,
Law Department.

No. S. R. 8058—Regis. 27-50-2 dated Bangalore, the 31st March 1951

In exercise of the powers conferred by Section 78 of the Mysore Registration Act, 1903, as amended from time to time, His Highness the Maharaja of Mysore is pleased to direct that the table of Registration fees be revised as per the Schedule enclosed and that the revised scale of fees be levied with effect from 1st April 1951.

By Order of His Highness the Maharaja,

T. RANGAMALLIAH,
Secretary to Government,
Revenue Department.

PART III.

Table of Registration Fees under section 78 of the Mysore Registration Regulation, No. I of 1903.

The registration fees payable to the several offices of Registration in Mysore shall be as follows :—

I. (*a*) For registration of documents in books I and IV—

		Rs.	a.	p.
(1)	When the value does not exceed Rs. 10	0	4	6
(2)	When the value exceeds Rs. 10 but does not exceed Rs. 25	0	7	0
(3)	Do 25 but does not exceed Rs. 50	0	9	0
(4)	Do 50 do do 75	0	13	6
(5)	Do 75 do do 100	1	2	0
(6)	Do 100 do do 150	1	11	0
(7)	Do 150 do do 200	2	4	0
(8)	Do 200 do do 250	2	13	0
(9)	Do 250 do do 300	3	6	0
(10)	Do 300 do do 500	3	15	0
(11)	Do 500 do do 750	4	8	0
(12)	Do 750 do do 1,000	5	10	0
(13)	Do 1,000 do do 2,500—For the first thousand as under Sub-Clause 12, and for every 500 or part thereof in excess of 1,000	Rs.	1	2 0
(14)	Do 2,500 but does not exceed to Rs. 5,000—For the first 2,500 as under Sub-Clause 13, and for every 500 or part thereof in excess of 2,500	Rs.	1	11 0
(15)	Do 5,000 but does not exceed Rs. 25,000—For the first 5,000 as under Sub-Clause 14 and for every 1,000 or part thereof in excess of 5,000	Rs.	2	4 0
(16)	Do 25,000 but does not exceed Rs. 50,000—For the first 25,000 as under Sub-Clause 15, and for every 1,000 or part thereof in excess of 25,000	Rs.	2	13 0
(17)	Do 50,000—For the first 50,000 as under Sub-Clause 16, and for every 1,000 or part thereof in excess of Rs. 50,000	Rs.	3	6 0

(*b*) The consideration expressed in a document is generally taken to be its value for determining the registration fee. Where no consideration is expressed, the value of the property dealt with as shown in the document is taken.

(*c*) The provisions of sections 5, 6, 20, 21, 23 and 25, of the Mysore Stamp Regulation and of the Indian Stamp Act, respectively, are applied *mutatis mutandis* to calculations of value for the purpose of determining the registration fee.

(*d*) In the case of leases the value is taken—

(1) at the total rent for the whole term when the lease is for periods not exceeding one year ;

(2) at the average annual rent when the lease is for periods exceeding one year ;

(3) at one-fifth of the whole amount of rents payable for the first fifty years when the lease is perpetual.

In all cases where a fine or premium is paid or is made payable or money is advanced, that amount is also added to the value. When a lessee undertakes to pay assessment-quit-rent, etc., in addition to the rent, the said payment also is added to the rental value. If the rent is payable in kind and its money value is not specified in the lease, its value is taken to be the highest amount which the stamp borne by the document shall suffice to cover ; but if the lease bears no stamp or is exempt from stamp duty, the money value of the produce is calculated at the current market rates.

Where in agricultural leases for one year or less the rent is not fixed either in kind or in cash and the lease deed is unstamped, its value for purposes of registration is taken to be five times the assessment on the land the rent of which is secured by the instrument, when the survey assessment is specified in the lease.

(*e*) In the case of deeds of partition, the value of the separated share or shares on which the stamp duty is payable is taken as the value or consideration.

(*f*) When the value of the document is not specified :

In the case of all other documents in which neither the consideration for the transaction nor the value of the property affected is expressed; or in which it is only partially expressed the

value shall be the maximum amount which the stamp borne by the document is sufficient to cover, if the document is one which is liable to stamp duty at *ad valorem* rates. If the value cannot be determined from the stamp, as for instance when the deed is not liable to stamp duty, or is liable to duty at a fixed amount irrespective of the value of the transaction, or when the transaction is not susceptible of money valuation, the fee leviable shall be Rs. 6-12-0 provided that in cases where value of only a portion of the property or consideration is given and that value exceeds Rs. 1,500 the fee shall be levied on the value so expressed.

Note.—In the case of documents evidencing petty transactions incapable of valuation the Inspector-General of Registration may, if he considers that the levy of a fee of Rs. 6-12-0 would be productive of hardship, authorise Registering Officers to levy a lower fee, which however shall not be less than four annas and six pies.

(*g*) For registration of a document purporting to give collateral or auxiliary or additional or substituted security or security by way of further assurance, where the principle or primary mortgage is duly registered :—

Same fee as for the principle or primary mortgage.

(*h*) For document acknowledging receipt or payment of consideration on account of any previously registered document or for any receipt acknowledging payment of a debt or rent due under a previously registered document :—

Ad valorem fee as per Article 1A, subject to a maximum of Rs. 2-4-0, *vide* Government Notification No. Fl. 2366—Regis. 12-29-1, dated 25—26th September 1929.

(*i*) For a duplicate or counterpart of a document—

If registered at the same time as the original, Re. 0-4-6 per 100 words or part thereof, provided that if the fee to be recovered at the rate of Re. 0-4-6 per 100 words is higher than the ordinary fee for registration, the ordinary fee shall be charged.

(*j*) Certified copies of decrees, orders of courts and awards—

Ad valorem fee as per Article 1 (*a*).

For Registration of Adoption deed : —
(Whether or not the deed refers to immovable property to which the adoptee becomes entitled). } Rs. 11-4-0.

G. O. No. Fl. 1628—Regis. 29-41-2, dated the 2nd September 1942.

II. For registration of Wills and Authorities to adopt—

(*a*) Opening a sealed cover and entering the contents in Book III :—

Rs. 2-4-0 *plus* copying fee at the prescribed rate.

(*b*) Will or Authority to adopt presented open :— Rs. 11-4-0. Provided that in the case of Wills in which the value of the property dealt with is mentioned and that the value does not exceed Rs. 3,000 the registration fee shall be as per *ad valorem* scale in Article 1 (*a*).

III. Sealed Covers (Book V).—

[*a*] For deposit and entry in Book V of a sealed cover purporting to contain a Will .. Rs. 3 6 0

[*b*] Withdrawal of any such cover .. Rs. 3 6 0

Article III—A. The registration fee for a deed of cancellation or revocation shall be that liable on the original document cancelled or revoked—subject to a maximum of Rs. 5.

(G. O. No. Fl. 2250—Regis. 14-38-2, dated 16th November 1938).

IV. Registration by a Registrar in cases other than those in which a document is registered by a District Registrar in consequence of the Sub-Registrar being a party interested in the transaction to which such a document relates—

Extra fee of Rs. 5 when registered under Section 30 (*a*) by any District Registrar and Rs. 10 when registered by the District Registrar of Bangalore under Section 30 (*b*) of the Mysore Registration Regulation : Provided that no extra fee shall be levied when the English document is registered by a Registrar solely in consequence of the language in which it is written being unknown to the Sub-Registrar by whom it is properly registrable :

596

Provided also that no extra fee shall be levied for the registration of a counterpart or a duplicate of a document in respect of which extra fee has been paid, as above such counterpart or duplicate is presented for registration on the same day as the original document, when the original is also registered.

V. (*a*) (1) Memorandum under Sections 64, 65, 66 and 67 .. .. Rs. 1 2 0

(2) For each additional copy required for 100 words or part thereof .. .. Re. 0 4 6

(*b*) When a copy of instrument has to be sent to the Registrar of another district such copy should be charged for at the rate of Re. 0-4-6 per 100 words and additional fee of one rupee and two annas for each memorandum issuable under Section 66, must be levied and remitted to the Registrar.

VI. (*a*)—(i) Search for or inspection of a single entry or document—

For the first year in the Books of which search is made, for each entry or document Rs. 1 2 0

For every other year in the books of which search is continued for each entry or document .. Re. 0 4 6

(ii) General search for an inspection of any number of entries or documents relating to one and the same property or executed by or in favour of one and the same individual.

For the first year in the books of which search is made .... Rs. 2 4 0

For every other year in the books of which search is continued .... Re. 0 9 0

Note.—(1) The rates mentioned above as subject to a maximum of Rs. 5-10-0 and Rs. 11-4-0 in the cases of single and general searches, respectively, *vide* G.O. No. Fl. 1122—Regis. 26-26, dated 4th August 1927.

(2) Every application for the continuance of a search made after one week from the date of completion of that search will be treated as fresh application and the higher fees of Re. 1-2-0 or Rs. 2-4-0 respectively, will be charged for the first year in the books of which the search is desired to be continued.

Note.—(2) of Article VI (*a*) (ii) relating to fees for search under Section 57 of the Registration Regulation published in Notification No. P. 5552—Regis. 30-89-9, dated 6th January 1923 will be replaced by the following :—

"Every application for the grant of a certified copy unless made at the time of registration of a document shall be considered as an application for search and charged accordingly, provided, however, that no fee for search shall be charged in respect of a document of which a copy is applied for when the names of claiming and executing parties, the nature of the document and the date of registration are shown in application for the copy."

(*Vide* Notification No. Fl. C. 68—Regis. 41-25, dated 12th October 1926).

(4) The Inspector-General of Registration may, in his discretion remit in part the fee leviable under this article when it appears to him that the exaction of full fee would be productive of hardship.

VII. (1) (*a*) Granting certified copies or extracts from Registers, indexes or any documents (Sections 57 and 76) per 100 words or portion of 100 words. —

Re. 0-3-6, whether in English or Kannada.

(*b*) Granting of copy of map or plan.—

Re. 0-9-0, provided that the arrangements for and the cost of making such copies are made and borne by the person who applies for it.

(*c*) Granting copies of documents other than those mentioned above :—

At the rates prescribed in the rules issued by the Chief Court for the grant of copies in the Civil Court.

Note.—(1) Every figure, initial or abbreviation shall count as a word.

(2) Government Officers who may require to search the registers or to take copies of entries for *bona fide* public purposes shall be permitted to do so without payment of any fee.

(3) Copies of documents in languages other than in English or Kannada shall be charged at one anna per 100 words instead of 3 annas if a clerk knowing that language is employed in the Registration Office granting the copy. Also when a copy is printed at the expense of an applicant or when the applicant presents a printed copy of a document already registered and applies for a certified copy of the same, only the portion added in manuscript in the certified copy shall be charged for the ordinary rates of copying, and, in addition, a fixed fee of two annas shall be levied for comparing and certifying each copy.

(4) No charge shall be made for granting copies of reasons for refusal given by a Sub-Registrar.

598

VII. Powers of Attorney.—

	Rs.	a.	p.
(1) Registering a Power of Attorney ..	5	10	0
(2) Attesting a Special Power of Attorney ..	1	2	0
(3) Attesting a General Power of Attorney ..	2	4	0

Note.—(1) A single fee shall be levied for the attestation of a Power-of-Attorney whatever may be the number of signatories to it provided that all of them appear simultaneously for examination or execution. Where they do not so appear, a separate fee is levied for such set of persons appearing at the same time.

(2) The duplicate or the triplicate of a Power-of-Attorney presented for authentication shall be treated as a separate power and a separate attestation fee shall be levied for it.

IX. For filing translation .... Extra fee Rs. 1-2-0.

Note.—Filing copies of the orders, certificates and instruments referred to in Section 89 ... ... No fee.

X. (1) Issue of commission or attendance at a private residence or Jail.

(*a*) For registration of one or more documents executed by one and the same individual, or (*b*) For the acceptance of registration of one or more documents executed in favour of one and the same individual or for the acceptance for deposit of a Will executed by an individual, or (*c*) For the attestation of one or more Power-of-Attorney executed by one and the same individual. (*d*) For the examination of one and the same individual under Section 33 or 38.	Rs. 11 4 0	Besides ordinary fee and travelling allowance.

(2) For the services of a female if required, extra fee as remuneration to her Rs. 5-10-0.

Note.—(1) Where two or more persons who are parties to the same document and who are entitled to exemption from attending the Registration Office reside together, or when two or more persons who are parties to the same document are confined in a Jail, only one attendance or commission fee shall be charged so far as those persons are concerned. In that event each such person shall be entitled to present for registration or attestation at such attendance any number of documents or Powers-of-Attorney or to admit execution of any number of documents presented for registration or to deposit a Will, without payment of any further attendance fee.

**Note.*—(2) "When in the course of attendance at a private residence a Registering Officer is required to record in respect of the

same instrument the admission of persons not entitled to the concession, the request, may, if possible, be complied with without the levy of any additional fee."

(*Vide* notification No. Fl. 5591—Regis. 6-32-7, dated 17th April 1933).

XI. For proceeding to and returning from a private residence or Jail, travelling allowance shall be allowed, at eight annas per mile to a Registrar and at 4 annas per mile to a Sub-Registrar or other persons deputed to take an examination.

XII. For the safe custody and return of documents.—

For each month or part of a month, during which a registered document is left unclaimed in a Registration Office, after the expiration of one month from the date of registry (to be paid before delivery of the document), four annas and six pies per month for documents of values up to Rs. 100 and nine annas per month for documents of values exceeding Rs. 100 or for documents in which no value is specified, subject to a maximum of Rs. 5-10-0 in any one case.

XIII. (1) For filing copies of memoranda relating to deposit of title-deeds received from Banks under Section 59, Clause (2), of the Transfer of Property Regulation. In cases where property mentioned in such memoranda are situated in more than one taluk or district and in cases where the property is not situated in the area to which Section 59 applies, Government are pleased to appoint the Registrar of Bangalore District as a Special Registrar for registering such memoranda and to exempt them from payment of the fees prescribed in paras 11 and 12 of the rules framed by Government under the Registration Regulation as regards fees payable thereunder.

Note.—Under Sub-Section (2) of Section 59 of the Transfer of Property Regulation, 1918, Government are pleased to extend the provisions of that Sub-Section to the whole of the areas comprised in the cities of Bangalore and Mysore.

(G. O. No. J. 4622—Legis. 43-17-3, dated 11th May 1918).

(2) On all documents registered, if containing more than 300 words, an additional fee at the rate of four annas and six pies per 100 words or fraction of 100 words is charged for the number above 300.

(3) If a document tendered for registration has one or more schedules appended to it, they are charged

560

for at the above rate according to the aggregate number of words contained in them.

(4) Special rates of fees for the registration of documents executed by or in favour of Agricultural Banks.

		Rs.	a.	p.
(*a*)	When the value does not exceed Rs. 100 including schedules	0	9	0
(*b*)	Exceeding Rs. 100 but not exceeding Rs. 1,000.	1	2	0
(*c*)	,, 1,000 but not exceeding Rs. 5,000	2	4	0
(*d*)	In all other cases	4	8	0
(*e*)	Searches	Free or no fee.		
(*f*)	Certified copies for 100 words	0	1	6
(*g*)	Attesting Power-of-Attorney	0	4	6
(*h*)	Private attendence	2	4	0
(*i*)	Issue of commission ...	2	4	0
(*j*)	Mileage to Registering Officers or others per mile.	0	2	0

(5) Fees for registration, etc., of documents executed by or on behalf of any Co-operative Society for the time being registered under the Co-operative Societies Regulation or by an officer or member of such a society and relating to the business thereof.....half the fee.

(6) Fees for registration, etc., of documents executed by applicants and sureties in connection with loans obtained and arrangements entered into for the supply of machinery, etc., under the rules published with Government Notification No. G. 2146—G.M. 55-12-240, dated 2nd September 1913.

		Rs.	a.	p.
(*a*)	When the value does not exceed Rs. 100 including schedule	0	9	0
(*b*)	Exceeding Rs. 100 but not exceeding Rs. 1,000	1	2	0
(*c*)	,, 1,000 5,000 ...	2	4	0
(*d*)	In all other cases ...	4	8	0
(*e*)	Search ...	Free or no fee.		
(*f*)	Certified copies (per 100 words) ...	0	1	6
(*g*)	Attesting Power-of-Attorney	0	4	6
(*h*)	Private attendance ...	2	4	0
(*i*)	Issue of commission ...	2	4	0
(*j*)	Mileage to Registering Officers or others per mile ...	0	2	0

(7) For Registration, etc., of instruments executed by or on behalf of or in favour of, the Mysore Palace. Nil.

(8) Special rates for documents executed by applicants for loans to build and make other improvements for houses in the Mysore City and on those executed by their sureties.

		Rs.	a.	p.
(*a*) When the value does not exceed Rs. 100	...	0	9	0
(*b*) Exceeding Rs. 100 but not exceeding Rs. 1,000	...	1	2	0
(*c*) Search	....	Free.		
(*d*) Certified copies per 100 words	....	0	1	6
(*e*) Attesting Power-of-Attorney	...	0	4	6
(*f*) Private attendance or issue of commission	...	2	4	0
(*g*) Mileage to Registering Officers or others per mile	...	0	2	0

(Notification No. P. 34—Regis. 37-4-3, dated 4th July 1922 No. P. 5552—Regis. 34-19-9, dated 6th January 1923 and Notification No. S.R. 8058—Regis. 27-50-2, dated 31st March 1951).

No. C. 66—Co. 23-49-83, Bangalore, dated the 14th April 1951.

In exercise of the powers conferred by Section 3 and clause (a) of sub-section (1) of Section 4 of the Mysore Drugs (Control) Act, 1950, (Mysore Act No. VI of 1950), His Highness the Maharaja is pleased to direct that the following further amendments shall be made in the schedule to Notification No. C. 3130—Co., dated the 3rd October 1949, namely :—

In respect of the drugs in the said schedule specified in column 1 hereunder which are manufactured by Eli Lilly and Company of India, Inc., Ciba Pharma Limited, Glaxo Laboratories, British Drug Houses (India) Ltd., Martin and Harris Ltd., Bombay ("Messrs. William R. Warner & Co., New York") and May and Baker

(India) Ltd., for the prices specified in column 2 of the said schedule, the prices specified in column 2 hereunder shall be substituted.

ELI LILLY AND COMPANY OF INDIA, INC.

	Rs.	a.	p.
'Betalin S' (Thiamin Chloride, Lilly) (scored) Tablets—5 mg. per 100	3	12	0
'Betalin S' (Thiamin Chloride, Lilly) (scored) Tablets—12 mg. per 100	7	8	0
'Duracillin, In Oil' (Crystalline Procaine Penicillin—G, in oil, Lilly), 300,000 units per cc.			
1 cc. rubber-stoppered ampoules—per ampoule ...	4	13	0
10 cc. rubber-stoppered ampoules—per ampoule ...	28	11	0
'Duracillin Fortified' (Procaine Penicillin—G and Penicillin—G, Crystalline—Sodium Lilly) Buffered for aqueous injection, 400,000 units in 1—dose, rubber-stoppered ampoules per ampoule ...	5	11	0
'Lextron' (Liver-Stomach Concentrate with Ferric Iron and Vitamin B Complex, Lilly) Pulvules—per 84 ...	11	8	0

CIBA PHARMA LIMITED.

Formo—Cibazol 20 tabs.	3	8	0
Do 200 „	31	3	0

GLAXO LABORATORIES.

Calci—Ostelin (Calcium with Vitamin D) Phials 15 c.c. ...	5	4	0 each.

BRITISH DRUG HOUSES (INDIA) LTD.

Distaquaine—G (Procaine Penicillin Aqueous)—			
3-dose vials of 900,000 i. u. each	5	6	0
Vials of 3,000,000 i. u. each	15	0	0
Distaquaine Forte—			
Vials containing 300,000 i. u. Procaine Penicillin and 100,000 i. u. Potassium Penicillin—each	3	8	0

MARTIN AND HARRIS, LTD., BOMBAY.

"MESSRS. WILLIAM R. WARNER & CO., NEW YORK".

Omni—Beta—4 oz.	11	8	0

MAY AND BAKER (INDIA), LTD.

'Penicillin Eye Ointment M. & B.— Tubes of 5 Gm. (Each Gm. contains 1,000 i. u. of Calcium Penicillin)	1	2	0

By Order of His Highness the Maharaja.